

November 22, 2000

TO: Mayor and City Council

FROM: Doug Mousel, Planner

SUBJECT: Results of the City Council Meeting, November 21, 2000

Public Hearing: Zoning Case Z2000-46

Applicant(s): Real Property Exchange, Gene McCutchin, and DRHI, Inc.

DESCRIPTION:

A request to rezone 147.1± acres on the north side of Main Street (F.M. 720), 900± feet west of Legacy Drive **from** Agricultural (50.7± acres), Single-Family-4 (33.4± acres), Commercial-2 (12.9± acres), and Industrial (50.1± acres) **to** Planned Development-Single-Family-5 (69.0± acres)/Single-Family-4 (78.1± acres). Neighborhood #45. Tabled 8/29/00 and 9/26/00.

APPROVED: _____ **DENIED:** _____ **TABLED:** 5-0

RECOMMENDATION:

This item has been tabled to the December 5, 2000 City Council Meeting.

DM/sg

cc: Jeff Miles 972-248-1414
Frank Jaromin
Donnie Mayfield
Mack Borchardt

November 2, 2000

TO: Mayor and City Council

FROM: John Lettelleir, Director of Planning

SUBJECT: Results of the Planning & Zoning Meeting November 1, 2000

The following item is scheduled for the November 21, 2000 City Council Meeting

Public Hearing: Zoning Case Z2000-46

Applicant(s): Real Property Exchange, Gene McCutchin, and DRHI, Inc.

DESCRIPTION:

A request to rezone 147.1± acres on the north side of Main Street (F.M. 720), 900± feet west of Legacy Drive **from** Agricultural (50.7± acres), Single-Family-4 (33.4± acres), Commercial-2 (12.9± acres), and Industrial (50.1± acres) **to** Planned Development-Single-Family-5 (69.0± acres)/Single-Family-4 (78.1± acres). Neighborhood #45. Tabled 8/29/00 and 9/26/00.

APPROVED: 4-2 **DENIED:** _____ **TABLED:** _____

Commissioner Sander and Seibert were opposed to the proposed densities.

RECOMMENDATION:

Recommended for approval subject to City Council approval of the concept plan for King's Garden and the following planned development standards:

Tract 1 – Planned Development - Single-Family Residential District-4 (78.12 Acres)

This tract may be developed under the regulations of the Single-Family Residential District-4 (SF-4) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional condition(s):

1. Where an open and unenclosed porch is connected to the main building, the minimum front yard may be reduced to fifteen feet (15') provided that:
 - a. the porch is a minimum of ten feet (10') in width and six feet (6') in depth; and
 - b. if the garage is front entry, the minimum front yard of the garage must be twenty feet (20') greater than the projection of the porch nearest the front property line.

Tract 2 – Planned Development - Single-Family Residential District-5 (68.99 Acres)

This tract may be developed under the regulations of the Single-Family Residential District-5 (SF-5) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional condition(s):

1. Where an open and unenclosed porch is connected to the main building, the minimum front yard may be reduced to fifteen feet (15') provided that:
 - a. the porch is a minimum of ten feet (10') in width and six feet (6') in depth; and
 - b. if the garage is front entry, the minimum front yard of the garage must be twenty feet (20') greater than the projection of the porch nearest the front property line.

General Conditions

1. A total of four hundred forty-five (445) single-family residential units shall be the maximum number of units permitted within the Planned Development.
2. A minimum of 4.4 acres of central open space shall be provided and shall contain a community pool, cabaña, play field, and landscaping. The open space shall be dedicated to the Homeowners' Association.
3. A fifty-foot (50') landscape buffer shall be provided adjacent to Main Street (F.M. 720) where lots side or back to Main Street. The landscape buffer shall be dedicated to and maintained by the Homeowners Association. Landscaping shall be installed in accordance with standards set forth in the Zoning and Subdivision Ordinances.
4. Side and rear yard fencing of lots abutting the fifty-foot (50') landscape buffer adjacent to Main Street (F.M. 720) shall be a minimum six-foot (6') cedar board on board fence and shall be maintained by the homeowner.
5. A common material fence with a height of four-feet (4') to eight-feet (8') shall be constructed in a thirty-inch (30") wide concrete mow strip along the common property line between the drainage easement along the east side of the property and any lots siding or backing to the drainage easement.
6. In addition to the trees required by Section 39.6(C) of the Zoning Ordinance, a minimum three-inch (3") caliper tree shall be planted within ten feet (10') of the common property line of all lots adjacent to the drainage easement along the east side of the property.
7. Prior to approval of a final plat of any portion of the property, the City Council shall approve homeowner's association documents creating a homeowner's association inclusive of all lots within the planned development and requiring the maintenance of amenities by the homeowner's association. The developer of the first phase shall reimburse the City for the cost of review of the homeowner's association documents by the City Attorney.

DM/sg

cc: Jeff Miles 972-248-1414
Frank Jaromin
Donnie Mayfield
Mack Borchardt

Agenda No.: 8A**Public Hearing:** Zoning Case Z2000-46**Applicant(s):** Real Property Exchange, Gene McCutchin, and DRHI, Inc.**Description:**

A request to rezone 147.1± acres on the north side of Main Street (F.M. 720), 900± feet west of Legacy Drive **from** Agricultural (50.7± acres), Single-Family-4 (33.4± acres), Commercial-2 (12.9± acres), and Industrial (50.1± acres) **to** Planned Development-Single-Family-5 (69.0± acres)/Single-Family-4 (78.1± acres). Neighborhood #45. Tabled 8/29/00 and 9/26/00.

Remarks:

This item must be removed from the table. This item was tabled at the September 26, 2000, Planning & Zoning Commission meeting to allow the applicant and staff additional time to discuss the improvement of a drainage easement along the east side of this property. During this time, the applicant changed the zoning request from Planned Development-Patio Home (46.0± acres)/Single-Family-5 (101.2± acres) to Planned Development-Single-Family-5 (69.0± acres)/Single-Family-4 (78.1± acres). The proposed planned development standards are:

Tract 1 – Planned Development - Single-Family Residential District-4 (78.12 Acres)

This tract may be developed under the regulations of the Single-Family Residential District-4 (SF-4) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional condition(s):

1. Where an open and unenclosed porch is connected to the main building, the minimum front yard for the main structure may be reduced to fifteen feet (15') provided that:
 - a. the porch is no closer than ten feet (10') to the front property line;
 - b. the porch is a minimum of ten feet (10') in width and six feet (6') in depth; and
 - c. if the garage is front entry, the minimum front yard of the garage must be twenty feet (20') greater than the projection of the porch nearest the front property line.

Tract 2 – Planned Development - Single-Family Residential District-5 (68.99 Acres)

This tract may be developed under the regulations of the Single-Family Residential District-5 (SF-5) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional condition(s):

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General Conditions

1. A total of four hundred forty-five (445) single-family residential units shall be the maximum number of units permitted within the Planned Development.
2. A minimum of 4.4 acres of central open space shall be provided and shall contain a community pool, cabaña, play field, and landscaping. The open space shall be dedicated to the Homeowners' Association.
3. A fifty-foot (50') landscape buffer shall be provided adjacent to Main Street (F.M. 720) where lots side or back to Main Street. The landscape buffer shall be dedicated to and maintained by the Homeowners Association. Landscaping shall be installed in accordance with standards set forth in the Zoning and Subdivision Ordinances.
4. Side and rear yard fencing of lots abutting the fifty-foot (50') landscape buffer adjacent to Main Street (F.M. 720) shall be a minimum six-foot (6') cedar board on board fence and shall be maintained by the homeowner.

Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Undeveloped	Single-Family-4 / Single-Family-5	Single-Family Residential
East	Undeveloped	Agricultural / Single-Family-5	Single-Family Residential / Retail
South	Main Street (F.M. 720) / Undeveloped	Agricultural and Planned Development-40	Technology
West	Single-Family Homes / Undeveloped	Single-Family-4 / Commercial-2	Single-Family Residential

Conformance to the Comprehensive Plan

Future Land Use Plan -- The Future Land Use Plan designates Technology uses for this property with the condition that the area be reclassified as Single-Family Residential should the Planned Development-40 (the North Dallas Jetport) no longer accommodate aviation operations. Planned Development-40 has been amended to eliminate aviation operations. Therefore, the property may be zoned for Single-Family Residential uses. The request complies with the Future Land Use Plan.

Thoroughfare Plan -- The Thoroughfare Plan shows Main Street (F.M. 720), a six-lane divided thoroughfare, bordering the request to the south. Right-of-way has been dedicated for Main Street (F.M. 720). The Thoroughfare Plan also shows a collector street extending north from Main Street (F.M. 720) into the property. The concept plan shows a collector street in this configuration.

Environmental Considerations -- The City's environmental analyses contained within the Comprehensive Plan identify floodplain along the northern limits of the property which may be unsuitable for development. The analyses do not identify slopes, soils, or sensitive habitats which are unsuitable for development in the area of this property.

Access -- Access to the property will be provided from Main Street (F.M. 720) and through Heather Ridge Estates - Phase II-B. Streets are also stubbed to the east and west to provide circulation between this property and future residential developments.

Water and Sanitary Sewer Services -- Water and sanitary sewer services must be extended to the property. A 12-inch water line is located along the south side of F.M. 720. Sanitary sewer services are being constructed to the west of the property with the development of Heather Ridge Estates, but the topography of the property may require that sanitary sewer be extended to the property from the west along Cottonwood Creek.

Schools - The Frisco Independent School District has acquired several properties for the future development of schools within the area. An elementary school is being constructed within The Trails subdivision. In addition, the school district plans to build an elementary school and middle school on the south side of Eldorado Parkway, 1,950± feet east of Teel Parkway. The property at the southeast corner of future Stonebrook Parkway and future Teel Parkway is a possible high school site.

Parks - Neighborhood parks are planned in conjunction with both of the above referenced elementary school sites. Property may be needed for the development of a neighborhood park between Cottonwood Creek and Main Street (F.M. 720) and Teel Parkway and Legacy Drive. The Parks Department has not identified a potential location for a park on this site.

Planned Development Zoning -- The Comprehensive Plan recommends that the City should be extremely judicious in the consideration and approval of planned developments. Planned Development should generally be used to achieve the following:

- Preserve topography, vegetation and/or open space

The proposed planned development standards require a minimum of 4.4 acres of open space.

- Carry out specific goals of the Comprehensive Plan or other special studies

The Comprehensive Plan suggests that the City consider preserving open space in a development by allowing higher densities on the developed portions. The proposed planned development requires open space while maintaining a density of 3.1 units per acre.

- Provide flexible development standards when appropriate, not to reduce development standards

Besides requiring the 4.4 acres of open space, the proposed planned development standards include provisions to reduce the minimum front yard for porches to increase activity in the front yard, to dedicate 50 feet of additional right-of-way adjacent to Main Street (F.M. 720) for landscaping and screening purposes, and to limit the density of the property.

At their September 14, joint work session with the Planning & Zoning Commission, the City Council instituted a policy requiring new residential cases to contain a mix of lower density single-family districts. The applicant initiated discussions with staff regarding the zoning of this property prior to the formulation of this policy. Staff encouraged the applicant to request a density of 3.4 dwelling units per acre or less, based on the City Council's previous policy on density. The potential density of the residential zoning with right-of-way for major thoroughfares excluded equates to the following units/acres:

Single-Family-4	77.2± acres	X	3.38 d.u./acre	=	260.9 units
Single-Family-5	65.3± acres	X	4.11 d.u./acre	=	268.4 units
Total	142.5± acres				529.3 units

The potential density of the residential zoning is 3.7 units/acre. The applicant is proposing a maximum of 445 units on the property equating to 3.1 units/acre, a lower density than straight Single-Family-4 zoning.

Recommendation:

Recommended for approval subject to City Council approval of the concept plan for King's Garden and the following planned development standards:

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